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7

8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 PACIFIC COAST BUILDING PRODUCTS,)
INC.,)
12)
Plaintiff,)
13)
v.)
14)
NATIONAL UNION FIRE INSURANCE)
15 COMPANY,)
16)
Defendant.)
17

CASE NO. CIV. S-04-1059 LKK (KJM)

**STIPULATION FOR DISMISSAL WITH
PREJUDICE OF ENTIRE ACTION
[FRCP 41]; [PROPOSED] ORDER
THEREON**

18 IT IS HEREBY STIPULATED AND AGREED by and between plaintiff Pacific Coast
19 Building Products, Inc., on the one hand, and defendant National Union Fire Insurance Company of
20 Pittsburgh, PA, on the other hand, acting through their respective counsel, that the entirety of this
21 action shall be, and hereby is, dismissed with prejudice, pursuant to the parties' settlement of this
22 matter.
23

24 PILLSBURY & LEVINSON

25 Date: _____

By _____

26 RICHARD D. SHIVELY/PHILIP L.
PILLSBURY, JR.
Attorneys for Plaintiff PACIFIC COAST BUILDING
27 PRODUCTS, INC.
28

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9 **Attorneys for Defendant NATIONAL UNION FIRE**
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11 **UNITED STATES DISTRICT COURT**
 12 **EASTERN DISTRICT OF CALIFORNIA**

13 **PACIFIC COAST BUILDING PRODUCTS,)**
 14 **INC.,)**

15 **Plaintiff,**

16 **v.**

17 **NATIONAL UNION FIRE INSURANCE**
 18 **COMPANY,**

19 **Defendant.**

20 **CASE NO. CIV. S-04-1059 LKK (KJM)**

21 **STIPULATION FOR DISMISSAL WITH**
 22 **PREJUDICE OF ENTIRE ACTION**
 23 **[FRCP 41]; [PROPOSED] ORDER**
 24 **THEREON**

25 **IT IS HEREBY STIPULATED AND AGREED by and between plaintiff Pacific Coast**
 26 **Building Products, Inc., on the one hand, and defendant National Union Fire Insurance Company of**
 27 **Pittsburgh, PA, on the other hand, acting through their respective counsel, that the entirety of this**
 28 **action shall be, and hereby is, dismissed with prejudice, pursuant to the parties' settlement of this**
 29 **matter.**

30 Date: 9/8/05

31 **PILLSBURY & LEVINSON**

32 By Richard D. Shively

33 **RICHARD D. SHIVELY/PHILIP L.**
 34 **PILLSBURY, JR.**

35 **Attorneys for Plaintiff PACIFIC COAST BUILDING**
 36 **PRODUCTS, INC.**

LEWIS BRISBOIS BISGAARD & SMITH LLP

Date: 9/8/05

By N. David Lyons

N. DAVID LYONS

Attorneys for Defendant NATIONAL UNION FIRE
INSURANCE COMPANY OF PITTSBURGH, PA

ORDER

Good cause appearing therefor, IT IS HEREBY ORDERED that this entire action is
dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41.

Date: 9/15/05

Lawrence K. Karlton
HONORABLE LAWRENCE K. KARLTON

LEWIS BRISBOIS BISGAARD & SMITH LLP

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 221 North Figueroa Street, Suite 1200, Los Angeles, California 90012.

On September 8, 2005, I served the following document described as **STIPULATION FOR DISMISSAL WITH PREJUDICE OF ENTIRE ACTION [FRCP 41]; [PROPOSED] ORDER THEREON** on all interested parties in this action by placing ☒ a true copy ☐ the original thereof enclosed in sealed envelopes addressed as follows:

Phillip L. Pillsbury, Jr., Esq.
Richard D. Shively, Esq.
Pillsbury & Levinson, LLP
The Transamerica Pyramid
600 Montgomery Street, 31st Floor
San Francisco, CA 94111
Facsimile: (415) 433-4816

☒ (BY MAIL, 1013a, 2015.5 C.C.P.)

☐ I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

☒ I am readily familiar with the firm's practice for collection and processing correspondence for mailing. Under that practice, this document will be deposited with the U.S. Postal Service on this date with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (FEDERAL) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on September 8, 2005, at Los Angeles, California.


MAUREEN ALLEN